

## **CERTIFICATE OF MAILING**

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON

08 July 2003

DATE

ATTORNEY FOR APPLICANTS

TECH CENTER 1600 200

Attorney Docket No.: P51217

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Meek, et al.

08 July 2003

Serial No.:

10/024,808

Group Art Unit: 1645

Filed:

19 December 2001

Examiner: Patricia Ann Duffy

For:

Methods and Compounds for Modulating the Activity of

Bacterial FabG

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## RESPONSE TO NOTICE OF RESTRICTION REQUIREMENT UNDER 37 C.F.R. §1.143

Sir:

This paper is in response to the Office Action dated 09 June 2003, setting forth a thirty (30) day shortened statutory period for reply. This response is being filed within said period, and no fees are believed due. However, authorization is hereby given to deduct any fees required by this paper to Deposit Account No. 19-2570, should any fees be due.

Claims 1-17 are subject to a restriction requirement. Upon review of the Detailed Action provided by the Examiner, Applicants provisionally elect the subject matter of Group III, Claims 2-8, and 11-17 (in part), with traverse.

Further, the Applicants hereby elect the specie "a conformational change upon acetoacetyl-CoA binding resulting in formation of an LBHB between Tyr157 and Lys161", which is a specie of target activity as asserted by the Examiner.

Serial No.: 10/024,508 Filed: September 21, 1645

Applicants retain the right to file divisional applications on the non-elected subject matter, should the restriction requirement become final.

Respectfully submitted,

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